

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

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JUN 5 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

The Use of N11 Codes and Other)
Abbreviated Dialing Arrangements)

CC Docket No. 92-105

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OFFICE OF THE SECRETARY

**COMMENTS OF
THE NEWSPAPER ASSOCIATION OF AMERICA**

The Newspaper Association of America ("NAA"), by its attorneys, hereby files its comments in response to the Notice of Proposed Rulemaking ("NPRM") released by the Common Carrier Bureau relating to the above-referenced matter. FCC 92-203 (released May 6, 1992). As detailed herein, NAA believes that the adoption of rules to make N11 codes available for abbreviated dialing access would serve the public interest.

I. STATEMENT OF INTEREST

The NAA¹ is a non-profit corporation serving more than 1,700 member newspapers. The majority are daily newspapers accounting for more than 90 percent of the circulation in the United States. Membership also includes many non-daily U.S. newspapers and other newspapers published in the Western

¹ NAA was created through the merger, effective June 1, 1992, of the American Newspaper Publishers Association, the Newspaper Advertising Bureau, and several other newspaper organizations.

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Hemisphere, Europe and the Pacific. Several hundred individuals and companies allied with the newspaper industry are associate members of NAA. In addition to publishing newspapers, NAA's members provide a wide variety of other services, including information services. Because the availability of abbreviated dialing arrangements would make it easier for the public to utilize at least some of these services, NAA is interested in the issues raised and the rules proposed by the Commission in this proceeding.

II. COMMENTS

NAA supports the Commission's tentative conclusion that the public interest would be served if the N11 codes 211, 311, 511, and 711 are made available for abbreviated dialing access. The codes 611 and 811 should also be available, at least in those areas where the local telephone companies are not using them for the purposes designated by Bellcore as the administrator of the North American Numbering Plan. The public interest would benefit from the use of as many N11 codes for abbreviated dialing access as is possible.

NAA's members that provide information and other services that are accessed the public switched telephone network, in addition to users of such services, would benefit greatly from the availability of abbreviated dialing arrangements. Such arrangements would increase the facility and speed with which members of the public access these

providers' services, leading to expanded use of such services. Concomitantly, the assignment of abbreviated dialing arrangements is also likely to lead to increased use of the public switched telephone network.² As a result, the information and service marketplace would inevitably become more vibrant and competitive.³

To ensure the most diverse and competitive use of abbreviated dialing arrangements, N11 codes should be made available on a non-discriminatory basis.⁴ They should be made available to information services providers, as well as others. NAA does not take a position on whether the N11

² Generally speaking, consumers now access information services by dialing a seven- or ten-digit telephone number.

³ Given the relative scarcity of N11 codes available for assignment, the competitive benefit will be maximized if any entity or its affiliate is eligible to receive only one N11 code in any given area. In the event that other abbreviated dialing arrangements become available, e.g., of the sort "NXX#," see NPRM ¶ 19, it may be appropriate to lift or soften the one-code-per-entity restriction. However, this is a matter best left for another proceeding. Such considerations should not slow the Commission in making the N11 codes available through the instant proceeding.

⁴ NAA questions whether the local exchange companies ("LECs") should administer the assignment of abbreviated dialing arrangements because of their own potential interest in the use of such codes. It is inherent in the nature of the North American Numbering Plan that the LECs do not "own" the N11 codes. In light of the lifting of the information services restriction of the AT&T consent decree, it is particularly important that the Bell Operating Companies not unnecessarily be put in a position that they could discriminate against information services competitors. Accordingly, the Commission, or some other non-LEC-affiliated body, should administer the assignment of abbreviated dialing arrangements.

codes should be assigned on a first-come first-served or some other basis,⁵ albeit NAA does submit that it would be proper for the Commission to assign the codes on a first-come first-served basis.

Because Cox Enterprises, Inc. ("Cox") provided the impetus for this proceeding by requesting an N11 code from Bell South Corporation and other LECs, it would certainly be appropriate for Cox to have its requests accommodated. A first-come first-served procedure would accomplish this end. If an assignment mechanism other than first-come first-served is adopted, NAA strongly supports any means by which Cox will be assured of an N11 code.

Finally, regardless of how the N11 numbers are assigned, the LECs should not be permitted to convert their current use of the 411 code for basic local directory assistance information into an unfair competitive advantage. The use of the 411 code for this purpose is well known to most if not virtually all users of the public switched telephone network. If the LECs provide more than basic directory assistance information using this code, the high level of user recognition will immediately imbue the LEC-provided service with a significant competitive advantage over other information

⁵ Whatever method is chosen, it should provide for the equitable, non-discriminatory distribution of N11 codes with a minimum of processing delay. In addition, the procedural framework must be structured so as to minimize, if not eliminate, speculation for the valuable N11 codes.

services providers, even those who may receive abbreviated dialing arrangements of their own. Thus, if the 411 code is used for other than basic directory services, the number should be used to give non-discriminatory access to non-LEC service providers in some meaningful way.

III. CONCLUSION

For the foregoing reasons, NAA supports the Commission's effort to make N11 codes available for assignment as abbreviated dialing arrangements. Further, as explained above, whether a first-come first-served or other method of assignment is adopted, Cox Enterprises, Inc. should receive an N11 code in the Atlanta, Georgia area.

Respectfully submitted,

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